

**UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS**

UNITED STATES OF AMERICA)	
)	Docket No. 20-cr-10012-IT
)	
v.)	
)	
)	
PAUL BATEMAN)	

**DEFENDANT’S MOTION TO RECONSIDER THE COURT’S ORDERS DENYING
DEFENDANT’S MOTION TO SUPPRESS AND MOTION TO COMPEL**

EXHIBIT 13:

Affidavit of Gerald R. Grant, Jr.
United States v. John Stuart, 21-cr-00007-LVJ-JJM (W.D.N.Y. Jan. 31, 2022)

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF NEW YORK

21-CR-7-LJV

UNITED STATES OF AMERICA,

AFFIDAVIT

v.

JOHN STUART,

Defendant.

STATE OF NEW YORK)
COUNTY OF MONROE) ss:
CITY OF ROCHESTER)

GERALD R. GRANT, JR., being duly sworn, deposes and states:

1. I am an investigator with the Federal Public Defender's Office for the Western District of New York, specializing in digital forensics. I have held this position since 2010. Previously, I held the Computer Systems Administrator from 1994 – 2010. Concurrently (and since 1990), I have owned JR Computer Consulting, a private firm providing digital forensics consulting services.
2. I have expertise in Computer Forensics, Mobile Forensics and Historical Cell Site Analysis. I have been qualified as an expert in both State and Federal cases over 50 times. I am an AccessData Certified Examiner, Cellebrite Certified Operator, Cellebrite Certified Physical Analyst, Cellebrite Certified Mobile Examiner, Cellebrite Certified Advanced Smartphone Analysis Examiner, Cellebrite Certified Advanced Smartphone Extraction Examiner, Cellebrite

Certified Evidence Repair Technician - Forensics, systems analyst, programmer and trainer with more than 25 years of experience involving digital forensics, cell site analysis, social site investigations, eDiscovery and litigation support. I have been involved in hundreds of state and federal cases and have forensically examined well over a thousand devices.

3. I was asked to review the digital forensic evidence as well as the relevant discovery in this case. One of the documents that I reviewed was an application for a Search Warrant that was drafted by Task Force Officer Michael Hockwater dated October 8, 2020. In that application, TFO Hockwater writes:

Even after connecting to the Tor network, however, a user would have to find the 16-or-56-character web address of the TARGET WEBSITE in order to access it. Hidden service websites on the Tor Network are not "indexed" by search engines—such as Google—to anywhere near the same degree as websites that operate on the open Internet. Accordingly, it is much more difficult to perform a Google-type search of hidden service websites than it is to search open Internet websites for particular content of interest . . . As with other hidden service websites, a user must find the 16-or-56 character web address for a directory website in order to access it. While it operated, the web address for the website described herein was listed on one or more of such directory sites advertising hidden services dedicated to the sexual exploitation of children.

(Search Warrant Application, ¶ 28)

4. While it is true that websites on the Tor network are not directly "indexed" by search engines – such as Google – in the same manner as websites on the public internet, that does not mean that a user cannot easily find links to hidden Tor websites through Google.

5. A simple search for “tor hidden service listing” or “onion directory listing” can lead a user to other public web pages that can contain individual links or lists of hidden Tor-only websites. So long as the user is running and using a Tor Browser, a simple click on these links can take the user to the hidden website, just as is commonly done on the public internet.
6. Because Google does not index hidden Tor websites, one cannot search using Google for a direct link to specific content. Rather, it is possible for a user to easily find a list of links to hidden Tor websites, click on a link, and be taken to that website without being aware of what content it contains. The typical names of these hidden Tor websites do not indicate possible content, due to the use of the 16-or-56-character web address.

DATED: Rochester, New York, January 31, 2022


Gerald R. Grant, Jr.

Sworn to before me
this 31st Day of January 2022


Notary Public, State of New York

JUDITH M. MIDDLETON
Notary Public, State of New York
Qualified in Monroe County
Reg. No. 01M14998362
Commission Expires June 29, 2022